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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,796	12/04/2003	Chris Boyer	LYNN/0177	8892
24945 STREETS & S	7590 11/30/2007 TEELE	EXAMINER		
13831 NORTH	WEST FREEWAY	LEE, CYNTHIA K		
SUITE 355 HOUSTON, T	X 77040		ART UNIT	PAPER NUMBER
,			1795	
			MAIL DATE	DELIVERY MODE
			11/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/727,796	BOYER ET AL.		
Examiner	Art Unit		
Cynthia Lee	1795		

		Cynthia Lee		1795	
The MAILING DATE	of this communication app	ears on the cover s	sheet with the c	orrespondence add	ress
THE REPLY FILED 13 November	2007 FAILS TO PLACE TH	S APPLICATION IN	CONDITION FO	OR ALLOWANCE.	
places the application in co	nal rejection, but prior to or o sust timely file one of the follo ndition for allowance; (2) a N amination (RCE) in complian	owing replies: (1) an otice of Appeal (with	amendment, aff appeal fee) in c	idavit, or other eviden compliance with 37 Cl	nce, which FR 41.31; or (3)
no event, however, will the Examiner Note: If box 1 is	es 3 months from the mailing dat s on: (1) the mailing date of this statutory period for reply expire checked, check either box (a) or INAL REJECTION. See MPEP	Advisory Action, or (2) later than SIX MONTH (b). ONLY CHECK BO	the date set forth IS from the mailing	g date of the final rejection	on.
Extensions of time may be obtained under 37 CFR 1.17(a) is calculated from the set forth in (b) above, if checked. Any may reduce any earned patent term a NOTICE OF APPEAL	es of determining the period of e om: (1) the expiration date of the reply received by the Office late	xtension and the corre shortened statutory pe er than three months a	sponding amount e eriod for reply origi	of the fee. The approprinally set in the final Offi	iate extension fee ce action; or (2) as
	led on A brief in com 37 CFR 41.37(a)), or any extention filed, any reply must be filed	ension thereof (37 C	FR 41.37(e)), to	avoid dismissal of th	
3. The proposed amendment (a) They raise new issue:	(s) filed after a final rejection s that would require further co of new matter (see NOTE bel	onsideration and/or			ecause
appeal; and/or	to place the application in be				the issues for
	al claims without canceling a 37 CFR 1.116 and 41.33(a))	•	nber of finally rej	ected claims.	
	n compliance with 37 CFR 1.come the following rejection(s		lotice of Non-Co	mpliant Amendment	(PTOL-324).
	ed claim(s) would be a		d in a separate,	timely filed amendme	ent canceling the
7. For purposes of appeal, the	aims would be rejected is pro (or will be) as follows:			l be entered and an e	explanation of
Claim(s) rejected: <u>1-11</u> . Claim(s) withdrawn from co					
AFFIDAVIT OR OTHER EVIDEN					
<ol> <li>The affidavit or other evider because applicant failed to was not earlier presented.</li> </ol>	provide a showing of good a				
9. The affidavit or other evider entered because the affidav		overcome all rejecti	ons under appea	al and/or appellant fai	ils to provide a
10. ☐ The affidavit or other evide REQUEST FOR RECONSIDERA	•	on of the status of th	ne claims after e	ntry is below or attach	ned.
11. The request for reconsider See Continuation Sheet.	ation has been considered b	ut does NOT place	the application in	n condition for allowar	nce because:
12.  Note the attached Informa 13.  Other:	tion Disclosure Statement(s)	. (PTO/SB/08) Pape	r No(s)		
				Cynthia Lee	

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments have been considered, but the Examiner remains unpersuaded. It is noted that Kumeta discloses that the fuel cells 2 of each group are formed in a substack 14 together with bipolar plates 3 by placing them alternately one on top of the other, and then tying up the substack 1 by means of a preliminary compressive loading means comprising tie bars 12 and tie rods 13, as shown in FIG. 1. (2:59-64). The substacks 14 are stacked to form a complete fuel cell stack 1 with a device 18 for arrangement of substacks. (3:20). Thus, the order of Kumeta reads on the instant claim 1.

RAYMOND ALEJANDRO